

**TERRI L. HILL, M.D.**

Legislative District 12A

Howard County

Health and Government Operations  
Committee

**Subcommittees**

Government Operations and  
Health Facilities  
Public Health and Minority  
Health Disparities



**THE MARYLAND HOUSE OF  
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**SUPPORT**

**HB1388 - Labor and Employment – Noncompete and Conflict of Interest Clauses – Veterinary  
and Health Care Professionals**

Dear Chairs Peña-Melnyk and Korman, Vice Chairs Cullison and Boyce, and Members of the Health and Government Operations and Environment and Transportation Committees,

I am here to ask for your support of **HB1388**, which prohibits the use of noncompete clauses in healthcare workers' and veterinary workers' employment agreements. The bill applies to workers who must be licensed under the health occupations article (such as doctors and nurses) and workers licensed under Title 2, Subtitle 3 of the Agriculture Article (such as veterinarians and veterinary technicians).

A noncompete clause in an employment contract or agreement typically prohibits the employee, at the end of their employment, from accepting employment with a competing employer or establishing a competing business for a specified period of time within a specified geographic area.

There are at least three lenses through which the advantages and disadvantages of employee noncompete agreements can be viewed: the employer's, the employee's, and the client's or patients. While balancing all interests is our responsibility, I believe it is the lens of the latter group through which the most light should be shown in a time when workforce shortages in the healthcare and, to a lesser extent, the veterinary arenas are at issue. The overall vacancy rate of positions for healthcare workers 12/31/2021 is 21.2%, and up to 37.7% for licensed practical (vocational) nurses.<sup>1</sup> As of 2022, the American Animal Hospital Association predicts a shortage of 15,000 veterinarians by 2030.<sup>2</sup>

In 2023, the American Medical Association voted to "oppose noncompete contracts for physicians in clinical practice who are employed by for-profit or nonprofit hospitals, hospital systems or staffing company employers."<sup>3</sup>

**HB1388** does not apply to an employment contract or similar agreement with respect to the taking or use of a client list or other proprietary information and would apply retroactively.

I urge a favorable report.

A handwritten signature in black ink, appearing to read "Terri L. Hill".